



## Eugene P. Murphy

Partner

[emurphy@rc.com](mailto:emurphy@rc.com)

Miami — 786.725.4110

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Eugene P. Murphy concentrates his practice in liability and property insurance coverage matters, liability defense, and insurance broker liability issues. For the past 33 years, he has focused on the evaluation, litigation, and resolution of a diverse range of coverage and commercial disputes, including mediations, arbitrations, and trials. In addition to his work in Florida, he has appeared before various state and federal courts throughout the country, including courts in Alabama, California, Connecticut, Florida, Indiana, Michigan, Minnesota, Mississippi, New Jersey, New York, and Texas.

### Property Insurance Coverage Litigation

With respect to property matters, Gene defends insurers and renders coverage analysis advice in a wide range of claims, including hurricane and wind damage, business interruption, design defect, faulty workmanship, law and ordinance, earth movement, sinkholes, mold, water damage, theft, collapse, hail damage, fire, and power failure. He recently obtained a summary judgment ruling, upheld on appeal to the 11<sup>th</sup> Circuit, based upon the design defect exclusion under a builder's risk policy in the faulty construction of a publicly-owned water treatment facility. He also obtained a favorable settlement on behalf of an insurer in a multimillion-dollar business interruption and property damage lawsuit arising out of a theft of business inventory.

### Liability Coverage

On the liability front, Gene provides coverage advice and litigates declaratory judgment actions involving various disputes, including duty to defend and indemnity obligations, employee exclusions, mold issues, assault and battery, additional insured issues, liquor liability exclusions, trigger and allocation issues, environmental, construction defect, contractual liability exclusions, bodily injury and property damage issues, occurrence and 'expected or intended' issues, your product exclusions, separation of insureds issues, medical payments coverage, completed work exclusions, late notice issues, excess and umbrella coverage issues, and ADA issues. Gene recently obtained a 'no duty to defend/indemnify' declaratory judgment arising out of the status of an injured worker and the application of employers' liability exclusion.

He regularly presents on insurance-related topics, and is the chair of the First Party Property Committee with the Florida Defense Lawyers Association.

### Services

- Insurance + Reinsurance
- Extracontractual Liability Litigation
- Fire + Explosion
- Liability Coverage
- Property Insurance Coverage Litigation

- Litigation

## Education

- Fordham University School of Law (Juris Doctor)
- Pace University (Masters)
  - LL.M., Environmental Law
- Queens College, CUNY (Bachelors)
  - B.A., Political Science

## Admissions

- State of Connecticut
- State of Florida
- State of New York

## Leadership + Memberships

### **The Florida Bar**

#### **Florida Defense Lawyers Association**

Chair, First Party Property Committee

#### **Defense Research Institute**

#### **New York State Bar Association**

#### **International Association of Defense Counsel**